

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANTHONY R. MURGIO,)	
)	
Movant,)	USDC Case No. 1:18-cv-4761
)	
v.)	
)	USDC Case No. 1:15-cr-769
UNITED STATES OF AMERICA,)	
)	Hon. Alison J. Nathan
Respondent.)	United States District Judge

PRO SE MOTION FOR VOLUNTARY DISMISSAL

COMES NOW ANTHONY R. MURGIO, Movant *pro se*, in the above styled and numbered cause, and hereby moves to voluntarily dismiss his pending motion to vacate under 28 U.S.C. §2255, pursuant to Federal Rule of Civil Procedure 41(a)(2). As a *pro se* prisoner litigant, Mr. Murgio has been unable to confer with counsel for the United States to determine their position on this motion.

GROUND FOR THE MOTION

1. After being placed on CARES Act home confinement, Mr. Murgio has come to the decision that he wishes to withdraw his motion to vacate.

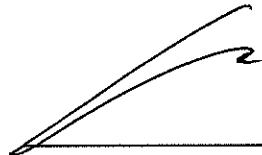
2. Mr. Murgio understands the effect of voluntary dismissal of his pending motion to vacate under 28 U.S.C. §2255, desires to withdraw and voluntarily dismiss the motion to vacate, and moves this Honorable Court to promptly dismiss his motion to vacate.

CONCLUSION

Mr. Murgio's motion for voluntary dismissal should be granted.

Respectfully submitted,

Signed:

A handwritten signature in black ink, consisting of a stylized 'A' followed by a cursive 'M' and 'R'. The signature is written above a horizontal line.

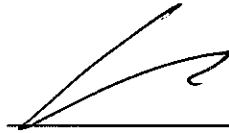
Mr. Anthony R. Murgio, *Pro Se*
1100 North Florida Ave.
Tampa, Florida 33602

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing *Pro Se* Motion for Voluntary Dismissal has been mailed, first class postage prepaid, on this 28 day of July, 2020, to: opposing counsel, Assistant United States Attorneys, Eun Young Choi, Daniel S. Noble, Won S. Shin, United States Attorney's Office, One St. Andrews Plaza, New York, New York 10007.

Executed under penalty of perjury pursuant to 28 U.S.C. §1746, on this 28 day of July, 2020.

Signed:



Mr. Anthony R. Murgio, *Pro Se*
1100 North Florida Ave.
Tampa, Florida 33602

Mr. Anthony R. Murgio
4100 North Florida Ave.
Tampa, Florida 33602

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